

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION – IN ADMIRALTY**

CIVIL ACTION NO.: 4:22-CV-00051-BO

In the Matter of:

CYRUS HAMILTON SLOAN, SR.,
Owner of the M/V DRESS BLUE, a
2016 or 2017 48' +/- Sabre Salon
Express, HIN # HWS48085F617, NC
Registration # 1387 EK, Official #
1271682, her engines, tackle, apparel,
appurtenances, etc.

For Exoneration from
or Limitation of Liability

**ENTRY OF DEFAULTS AGAINST
NON-APPEARING PARTIES AND
NON-ASSERTED CLAIMS**

THIS CAUSE having come before the undersigned Clerk of Court on Limitation Plaintiff's Motion for Entry of Defaults Against Non-Appearing Parties and Non-Asserted Claims, Rule 55(a) and Supplemental Admiralty Rules F(4) and F(5) of the Federal Rules of Civil Procedure, and having reviewed the record herein, the undersigned finds that:

1. On May 24, 2022, Limitation Plaintiff filed a Verified Complaint for Exoneration from and/or Limitation of Liability, pursuant to 46 U.S.C. §§ 30501 *et seq.* and Supplemental Rules for Certain Admiralty and Maritime Claims, Rule F of the Federal Rules of Civil Procedure, for any injuries, damages or losses of whatever in consequence of or arising out of or connected with the operation of a a 2016 or 2017 48' +/- Sabre Salon Express, HIN # HWS48085F617, NC Registration # 1387 EK,

Official # 1271682, her engines, tackle, apparel, appurtenances, etc. ("Sloan Vessel"), during a voyage from April 30, 2021 to May 5, 2021 (the "Voyage").

2. On June 9, 2022, the Court issued an Order Directing Issuance of Notice, and Restraining Prosecution of Claims requiring public notice be given by publication thereof in *The News and Observer*, a newspaper within this District, for four successive weeks [DE 6]. Supplemental Rule F(4) required Limitation Plaintiff to mail, no later than the day of the second publication, a copy of said Notice to every person known to have made a claim against the Vessel or Limitation Plaintiff arising out of the Voyage on which the claims sought to be limited arose. Supplemental Rule F(4).

3. On June 13, 2022, the Clerk of this Court duly issued a Notice to Claimants of Complaint for Exoneration from or Limitation of Liability [DE 7]. The Notice required all potential claimants to file their claims with the Clerk of this Court, in the United States District Court for the Eastern District of North Carolina, Eastern Division, and serve on Limitation Plaintiff's attorney, Jason R. Harris, a copy therefore on or before August 26, 2022 or be defaulted. *Id.*

4. The Notice to Claimants was duly given and published in the *The News and Observer* once a week for the four (4) weeks ending July 20, 2022, as required by the Court, and movants mailed copy of the Notice to Claimants of Complaint for Exoneration from or Limitation of Liability to every person known to have made any claim, including all passengers, whether or not a claim was anticipated, against the

Vessel or Limitation Plaintiff arising out of the Voyage on which the claims sought to be limited arose.

5. Limitation Plaintiff has complied with all service obligations of Supplemental Rule F and the Orders of this Court.

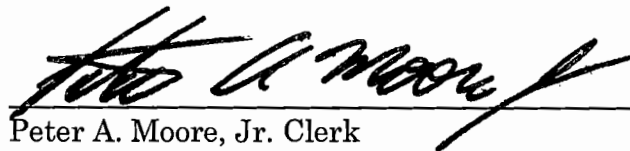
6. The deadline for receipt of claims and answers was August 26, 2022.

7. One claim was filed in this matter, that of Lydia McCarthy: Geoffrey A. Losee, from the law firm of Rountree Losee LLP, in association with Albert G. Bilbrey, Jr., of the law firm of Cooper & Bilbrey, P.C., gave this Court notice of their appearance as counsel of record for Lydia McCarthy [DE 9]. Before the expiration of the monitions period, the Answer to Verified Complaint for Exoneration from and/or Limitation of Liability and the Claim of Lydia McCarthy were filed [DE 8].

8. No other person or party has appeared, filed any claims, or filed any pleadings in this matter.

THEREFORE, defaults are hereby entered as to all non-appearing parties and non-asserted claims, and the concursus of claimants in this action consists only of Lydia McCarthy.

This the 4 day of October, 2022.

A handwritten signature in black ink, appearing to read "Peter A. Moore, Jr.", is written over a horizontal line.

Peter A. Moore, Jr. Clerk
United States District Court
Eastern District of North Carolina